

House File 2318

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1 4 AN ACT
1 5 RELATING TO THE FILING OF STATEMENTS OF ORGANIZATION OR
1 6 DISSOLUTION BY A POLITICAL OR CANDIDATE'S COMMITTEE, AND
1 7 REGULATING CAMPAIGN AND OTHER CONTRIBUTIONS.
1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 9
1 10 Section 1. Section 68A.201, subsection 3, Code Supplement
1 11 2003, is amended to read as follows:
1 12 3. Any change in information previously submitted in a
1 13 statement of organization or notice in case of dissolution of
1 14 the committee shall be reported to the board ~~or commissioner~~
1 15 not more than thirty days from the date of the change or
1 16 dissolution.
1 17 Sec. 2. Section 68A.201, subsection 5, Code Supplement
1 18 2003, is amended to read as follows:
1 19 5. ~~A When either a~~ committee or organization not organized
1 20 as a committee under this section ~~which~~ makes a contribution
1 21 to a ~~candidate's committee or political~~ committee organized in
1 22 Iowa ~~that committee or organization~~ shall disclose each
1 23 contribution in excess of fifty dollars to the board. A
1 24 committee or organization not organized as a committee under
1 25 this section which is not registered and filing full
1 26 disclosure reports of all financial activities with the
1 27 federal election commission or another state's disclosure
1 28 commission shall register and file full disclosure reports
1 29 with the board pursuant to this chapter, and shall either
1 30 appoint an eligible Iowa elector as committee or organization
1 31 treasurer, or shall maintain all committee funds in an account
1 32 in a financial institution located in Iowa. A committee which
1 33 is currently filing a disclosure report in another
1 34 jurisdiction shall either file a statement of organization
1 35 under subsections 1 and 2 and file disclosure reports, the
2 1 same as those required of committees organized only in Iowa,
2 2 under section 68A.402, or shall file one copy of a verified
2 3 statement with the board and a second copy with the treasurer
2 4 of the committee receiving the contribution. The form shall
2 5 be completed and filed at the time the contribution is made.
2 6 The verified statement shall be on forms prescribed by the
2 7 board and shall attest that the committee is filing reports
2 8 with the federal election commission or in a jurisdiction with
2 9 reporting requirements which are substantially similar to
2 10 those of this chapter, and that the contribution is made from
2 11 an account which does not accept contributions which would be
2 12 in violation of section 68A.503. The form shall include the
2 13 complete name, address, and telephone number of the
2 14 contributing committee, the state or federal jurisdiction
2 15 under which it is registered or operates, the identification
2 16 of any parent entity or other affiliates or sponsors, its
2 17 purpose, the name and address of an Iowa resident authorized
2 18 to receive service of original notice and the name and address
2 19 of the receiving committee, the amount of the cash or in-kind
2 20 contribution, and the date the contribution was made.
2 21 Sec. 3. Section 68A.202, subsection 2, Code Supplement
2 22 2003, is amended to read as follows:
2 23 2. A political committee shall not be established to
2 24 expressly advocate the nomination, election, or defeat of only
2 25 one candidate for office. However, except that a political
2 26 committee may be established to expressly advocate the passage
2 27 or defeat of approval of a single judge standing for
2 28 retention. A permanent organization, as defined in subsection
2 29 68A.402, subsection 6, may make a one-time contribution to
2 30 only one candidate for office in excess of seven hundred fifty
2 31 dollars.
2 32 Sec. 4. Section 68A.301, Code Supplement 2003, is amended
2 33 to read as follows:
2 34 68A.301 CAMPAIGN FUNDS.
2 35 ~~As used in this division, "campaign funds" means~~
3 1 ~~contributions to a candidate or candidate's committee which~~
3 2 ~~are required by this chapter to be deposited in a separate~~
3 3 ~~campaign account.~~
3 4 1. A candidate's committee shall not accept contributions
3 5 from, or make contributions to, any other candidate's

3 6 committee including candidate's committees from other states
3 7 or for federal office, unless the candidate for whom each
3 8 committee is established is the same person. For purposes of
3 9 this section, "contributions" does not ~~mean~~ include travel
3 10 costs incurred by a candidate in attending a campaign event of
3 11 another candidate and does not include the sharing of
3 12 information in any format.

3 13 2. This section shall not be construed to prohibit a
3 14 candidate or candidate's committee from using campaign funds
3 15 or accepting contributions for tickets to meals if the
3 16 candidate attends solely for the purpose of enhancing the
3 17 person's candidacy or the candidacy of another person.

3 18 Sec. 5. Section 68A.303, subsection 1, paragraph a, Code
3 19 Supplement 2003, is amended to read as follows:

3 20 a. Contributions to charitable organizations unless the
3 21 candidate or the candidate's spouse, child, stepchild,
3 22 brother, brother-in-law, stepbrother, sister, sister-in-law,
3 23 stepsister, parent, parent-in-law, or stepparent is employed
3 24 by the charitable organization and will receive a direct
3 25 financial benefit from a contribution.

3 26 Sec. 6. Section 68A.403, subsection 1, Code Supplement
3 27 2003, is amended to read as follows:

3 28 1. A report or statement required to be filed ~~by a~~
3 29 ~~treasurer of a political committee, a candidate, or by any~~
3 30 ~~other person, under this chapter~~ shall be signed by the person
3 31 filing the report.

3 32 Sec. 7. Section 68A.503, subsection 4, Code Supplement
3 33 2003, is amended by striking the subsection and inserting in
3 34 lieu thereof the following:

3 35 4. The prohibitions in sections 1 and 2 shall not apply to
4 1 an insurance company, savings and loan association, bank,
4 2 credit union, or corporation engaged in any of the following
4 3 activities:

4 4 a. Using its funds to encourage registration of voters and
4 5 participation in the political process or to publicize public
4 6 issues, but does not use any part of those contributions to
4 7 expressly advocate the nomination, election, or defeat of any
4 8 candidate for public office.

4 9 b. Using its funds to expressly advocate the passage or
4 10 defeat of ballot issues so long as the transactions are
4 11 reported as required under section 68A.402.

4 12 c. The placement of yard signs under section 68A.405,
4 13 subsection 2.

4 14 Sec. 8. Section 68A.504, Code Supplement 2003, is amended
4 15 to read as follows:

4 16 68A.504 PROHIBITING CONTRIBUTIONS DURING THE LEGISLATIVE
4 17 SESSION.

4 18 1. A lobbyist or political committee, other than a state
4 19 statutory political committee, county statutory political
4 20 committee, or a national political party, shall not contribute
4 21 to, act as an agent or intermediary for contributions to, or
4 22 arrange for the making of monetary or in-kind contributions to
4 23 the campaign of an elected state official, member of the
4 24 general assembly, or candidate for state office on any day
4 25 during the regular legislative session and, in the case of the
4 26 governor or a gubernatorial candidate, during the thirty days
4 27 following the adjournment of a regular legislative session
4 28 allowed for the signing of bills. ~~This section shall not~~
4 29 ~~apply to the receipt of contributions by an elected state~~
4 30 ~~official, member of the general assembly, or other state~~
4 31 ~~official who has taken affirmative action to seek nomination~~
4 32 ~~or election to a federal elective office~~ Except as set out in
4 33 subsection 2, an elected state official, member of the general
4 34 assembly, or candidate for state office shall not accept a
4 35 contribution as prohibited in this subsection.

5 1 ~~This section shall not apply to a candidate for state~~
5 2 ~~office who filed nomination papers for an office for which a~~
5 3 ~~special election is called or held during the regular~~
5 4 ~~legislative session, if the candidate receives the~~
5 5 ~~contribution at any time during the period commencing on the~~
5 6 ~~date on which at least two candidates have been nominated for~~
5 7 ~~the office and ending on the date on which the election is~~
5 8 ~~held. A person who is an elected state official shall not,~~
5 9 ~~however, solicit contributions during a legislative session~~
5 10 ~~from any lobbyist or political committee, other than a state~~
5 11 ~~statutory political committee, county statutory political~~
5 12 ~~committee, or a national political party, for another~~
5 13 ~~candidate for a state office for which a special election is~~
5 14 ~~held.~~

5 15 2. The prohibition in subsection 1 shall not apply to the
5 16 following:

5 17 a. The receipt of contributions by an elected state
5 18 official, member of the general assembly, or candidate for
5 19 state office who has taken affirmative action to seek
5 20 nomination or election to a federal elective office so long as
5 21 the contribution is placed in a federal campaign account.
5 22 b. The receipt of contributions by a candidate for state
5 23 office who filed nomination papers for an office for which a
5 24 special election is called or held during the regular
5 25 legislative session, if the candidate receives the
5 26 contribution during the period commencing on the date that at
5 27 least two candidates have been nominated for the office and
5 28 ending on the date the election is held. A person who is an
5 29 elected state official shall not solicit contributions during
5 30 a legislative session from any lobbyist or political
5 31 committee, other than a state statutory political committee,
5 32 county statutory political committee, or a national political
5 33 party, for another candidate for a state office for which a
5 34 special election is held.

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CHRISTOPHER C. RANTS
Speaker of the House

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JEFFREY M. LAMBERTI
President of the Senate

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MARGARET THOMSON
Chief Clerk of the House

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THOMAS J. VILSACK
Governor

Approved _____, 2004

I hereby certify that this bill originated in the House and
is known as House File 2318, Eightieth General Assembly.